



BROADBAND INTERNET, VOICE, DATA, AND MULTIMEDIA

February 24, 2011

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: ***Unlicensed Operations in the TV Broadcast Bands;
ET Docket No. 04-186
Additional Spectrum for Unlicensed Devices Below 900 MHz and in the
3GHz Band; ET Docket No. 02-380
Comments***

Dear Ms. Dortch:

Gateway Telecom LLC dba StratusWave Communications ("StratusWave") writes to support the views expressed in the Joint Petition for Partial Reconsideration ("Petition") filed on January 5, 2011 by the Wireless Internet Service Providers Association and others (collectively, "WISPA"). In particular, increasing the maximum height from which fixed TV white space devices can transmit will enable StratusWave to serve a large area of West Virginia where existing rules would preclude those operations. Changing the maximum height to 250 meters above average terrain ("HAAT"), when coupled with corresponding increases in the co-channel and adjacent-channel distance separating fixed white space devices from TV station contours, will allow for affordable broadband services to be deployed in a challenging rural geographic area where broadband deployment is currently lacking.

StratusWave is a wireless ISP that provides broadband and voice services to schools, hospitals, businesses and residences in West Virginia and Ohio. StratusWave uses a variety of spectrum bands to meet the needs of consumers – licensed 2.5 GHz and 28 GHz frequencies as well as the 900 MHz, 2.4 GHz and 5 GHz UNII bands. StratusWave has constructed networks through the FCC's E-rate program to provide Internet access to public school systems in several West Virginia counties. StratusWave also has utilized Rural Utilities Service funding to provide wireless broadband services to unserved communities in West Virginia that did not have other alternatives to broadband access.

StratusWave is making plans to deploy broadband networks over white space spectrum. We are excited about the prospects of using well-propagating spectrum below 1 GHz to relieve congestion from existing bands and also penetrate tree foliage and terrain obstructions. West Virginia is one of the most terrain-challenged states in the

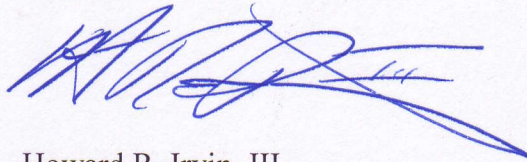
country, with the Appalachian Mountain range and ridges running throughout the state. Moreover, the good propagation characteristics of white space spectrum facilitates greater coverage with less infrastructure, meaning StratusWave can build networks for less money and provide service to the public on more affordable terms.

Unfortunately, the tower height restrictions that the FCC adopted in the *Second Memorandum Opinion and Order* stand in the way of our ability to deploy TV white space antennas on existing towers in most of the state. The maps that WISPA attached to the Petition makes this point very clear – the current 76-meter HAAT restriction for tower locations combined with the 30-meter AGL limit on base stations forecloses white space operations in the vast majority of the state, whereas operations from HAAT up to 250 meters vastly increases the locations from which fixed white space devices can be located. Many, if not most, of the existing tower sites in West Virginia are located on the tops of mountains and ridges, and this existing infrastructure could not be used for white space deployments. Instead, StratusWave would have to construct new towers at lower elevations. The need for new towers adds additional costs to obtain zoning approvals, to acquire sites and to design, engineer and construct the new towers. In addition to the added costs, it will take a lot more time to go through this process than to simply lease tower space on an existing tower and deploy soon thereafter. And, constructing sites at lower elevations means we need to build more towers to cover the same areas.

All told, StratusWave estimates that the costs would be three times lower if the height restrictions were relaxed as proposed by WISPA, deployments could occur a full year sooner and service to consumers could be priced substantially lower.

StratusWave and the schools, businesses and residences in West Virginia can be significant beneficiaries of TV white spaces, but only if the height restrictions are sufficiently relaxed. StratusWave urges the FCC to adopt the proposals discussed in the WISPA Petition.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "H. Irvin", with a stylized flourish extending from the end.

Howard R. Irvin, III
President of Corporate Managing Member

cc: Julius Knapp, FCC